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MEMO ENDORSED

March 10, 2015

3/11/2015  
DK mll me  
[Signature]

**Via ECF**

Hon. Colleen McMahon  
U.S. District Court for the Southern District of New York  
500 Pearl Street, Room 1640  
New York, NY 10007

Re: *Moore, et al. v. Navillus Tile, Inc., et al.*, 14-CIV-8326 (CM)(JLC)

Dear Judge McMahon:

I write as counsel to Plaintiffs in the above-referenced case to advise the Court of an agreement reached by all parties in this case to schedule a third party deposition on March 25, 2015, shortly after the expiration of the March 23, 2015 discovery period for the alter ego issue.

The parties have thus far completed 13 depositions in this matter and another 11 depositions are scheduled to occur on or prior to March 23, 2015. A third party witness that Plaintiffs have subpoenaed has requested, that because of his own scheduling issues, his deposition take place on March 25, 2015. Counsel for all parties have consented to this request.

Counsel also concluded, however, that the consent of the Court is necessary to take a deposition outside of the period established by the Court. Accordingly, it is requested that the Court permit a deposition by Plaintiffs of a third party witness on the alter ego issue in this case on March 25, 2015.

Thank you for your consideration of this request.

Respectfully submitted,

[Signature of Thomas M. Kennedy]

Thomas M. Kennedy

Cc: All Counsel

